

**IN THE CLAIMS:**

1. (CANCELED)

2. (CANCELLED)

3. (CANCELLED)

4. (CURRENTLY AMENDED) A roofing hatchet comprising:  
a head having a first, striking end and a second, bitted end,  
said head further comprising:

striking means for driving a fastener into a surface,  
said striking means comprising a striking face at said first  
end of said head;

holding means for holding a fastener on said striking  
means in preparation for driving a fastener into a surface,  
said holding means comprising a magnet imbedded within said  
head at said striking face, wherein said holding means  
further comprises:

a shouldered bore formed within said head at said  
striking face, said shouldered bore ~~further~~ comprising:

a first bore having an axis substantially  
normal to said striking face, a first diameter and  
a first depth, and

a second bore having an axis coinciding with said axis of said first bore, a second diameter, said second diameter being greater than said first diameter ~~of said first bore~~, and a depth, said second depth being less than said first depth ~~of said first bore~~,

the ~~the~~ difference in said first and second diameters ~~of said first bore and said second bore~~ forming a shoulder within said shouldered bore;

a cap, said cap dimensioned and configured to forceably and frictionally fit within said shouldered bore such that:

a first end, having a diameter substantially equal to said diameter of said second bore of said shouldered bore, is substantially flush with said striking face of said head, and

a second end, having a diameter substantially equal to said diameter of said first bore of said shouldered bore, abuts a bottom of said first bore of said shouldered bore, said second end having an internal bore having a diameter less than said diameter of said second end and a depth, said diameter and said depth being substantially equal

to a diameter and a height of said magnet;

said magnet matingly fitting within said bore of said cap and said cap matingly fitting within said shouldered bore such that said shoulder of said cap abuts said should of said shouldered bore and said second end of said cap abuts a bottom of said first bore of said shouldered bore;

gauging means for gauging a distance from said bitted end,

cutting means for cutting roofing material;

pulling means for pulling a fastener from a surface; and

securing means for attaching a handle to said head; and  
a handle.

5.(ORIGINAL) A roofing hatchet, as defined in claim 4, wherein said magnet is magnetized along a cylindrical axis such that fasteners attracted by said magnet will automatically center on said axis of said magnet.

6.(CURRENTLY AMENDED) A roofing hatchet, as defined in claim 4 [[2]] wherein said gauging means comprises:

at least one aperture, a first of said at least one aperture being spaced at a predetermined ~~determined~~ distance from said second end of said head and each subsequent of said at least one

aperture being spaced at a distance from a prior one of said at least one aperture along a line substantially normal to said second, bitted end of said head; and

a threaded bolt having a ~~substantially cylindrical~~ head and an internally threaded, ~~substantially cylindrical~~ nut,

said head of said bolt and said nut acting as a stop for gauging a distance from said second, bitted end of said head.

7. (CURRENTLY AMENDED) A roofing hatchet, ~~as defined in claim 2,~~ comprising:

a head having a first, striking end and a second, bitted end,  
said head further comprising:

striking means for driving a fastener into a surface,  
said striking means comprising a striking face at said first  
end of said head;

holding means for holding a fastener on said striking  
means in preparation for driving a fastener into a surface,

gauging means for gauging a distance from said bitted  
end,

cutting means for cutting roofing material;

pulling means for pulling a fastener from a surface; and

securing means for attaching a handle to said head; and  
a handle,

wherein said cutting means comprises a blade housing, said blade housing ~~further~~ comprising:

a substantially rectangular depression in one face of said second, bitted end of said head, a first end of said depression open to said bitted end, said depression sized and configured to adjustably receive a utility knife blade, and

at least one threaded aperture proximate said depression, ~~each~~ at least one of said at least one threaded aperture ~~adapted to threadably receive~~ receiving a threaded bolt, each of said threaded bolt having a head having a diameter greater than a diameter of said threaded ~~bolt~~ aperture,

said head of said at least one threaded bolt ~~adapted to~~ adjustably ~~retain said~~ retaining a utility knife blade in said blade housing.

8. (CURRENTLY AMENDED) A roofing hatchet, as defined in claim 4 [[2]], wherein said pulling means comprises a "V" shaped notch formed in a lower edge of said second, bitted end of said head, said notch adapted to receive a shank of a fastener embedded in a surface such that a head of said fastener is held above said "V" shaped notch, thereby facilitating pulling said fastener from said surface.

9. (CURRENTLY AMENDED) A roofing hatchet, as defined in claim

4 [[2]], wherein said securing means comprises:

an anti-rotational aperture formed through said head proximate said striking face, said aperture formed at a ~~determined~~ predetermined angle relative to said striking face to receive a handle such that said handle optimizes the force transfer from the hand of a user to a fastener being driven into a sloping surface.

10. (CURRENTLY AMENDED) A roofing hatchet, as defined in claim 9, wherein said handle is formed of at least one material from the group of: [[a]] wood, a polycarbonate, and fiberglass.

11. (CURRENTLY AMENDED) A roofing hatchet comprising:

a head having a first, striking end and a second, bitted end, said head further comprising:

striking means for driving a fastener into a surface, said striking means comprising a striking face at said first end of said head;

holding means for holding a fastener on said ~~striking~~ striking face, said holding means comprising a magnet imbedded therein, said magnet magnetized along a cylindrical axis such that fasteners attracted by said magnet will automatically center on said axis of said magnet;

gauging means for gauging a distance from said bitted end, said gauging means comprising:

at least one aperture, a first of said at least one aperture space at a determined from said second, bitted end of said head and each subsequent of said at least one aperture space at a determined distance from a prior one of said at least one aperture along a line substantially normal said second bitted end of said head, and

a threaded bolt having a substantially cylindrical head and an internally threaded, substantially cylindrical nut, said head of said bolt and said nut acting as a stop for gauging a distance from said second, bitted end of said head;

cutting means for cutting roofing materials, said cutting means comprising:

a substantially rectangular depression in one ~~on~~ face of said second bitted end of said head, a first end of said depression open to said bitted end, said depression sized and configured to adjustably receive a utility knife blade and forming a blade housing, and

at least one threaded aperture proximate said depression, ~~each~~ at least one of said at least one threaded aperture ~~adapted to threadably receiving receive~~ a threaded bolt, each of said threaded bolt having a head having a diameter greater than a diameter of said threaded aperture bolt, and

a utility knife adjustably retained in said blade housing by said head of said at least one threaded bolt  
~~said head of said at least one threaded bolt adapted to adjustably retain said utility knife blade in said blade housing;~~

pulling means for pulling a fastener from a surface, said pulling means comprising a "V" shaped notch formed in a lower edge of said second, bitted end of said head, said notch adapted to receive a shank of a fastener embedded in a surface such that a head of said fastener is held above said "V" shaped notch, thereby facilitating pulling said fastener from said surface; and

~~securing means for attaching a handle to said head said~~  
~~securing means comprising an anti-rotational aperture formed through said head proximate said striking face, said aperture formed at a determined angle relative to said striking face to~~  
~~receive a handle~~ secured to said headsy s predetermined angle  
such that said handle optimizes the force transfer from the hand of a user to a fastener being driven into a sloping surface ;and

~~a handle.~~

12.(NEW) A roofing hatchet as defined in claim 7, wherein an exposed face of said utility knife blade lies flush with the face of



said second, bitted end of said head in which said depression is formed, and said head of said at least one threaded bolt contacting both the utility knife blade and said face of said second bitted end of said head in which said depression is formed.